

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF DELAWARE**

IN THE MATTER OF THE APPLICATION OF)
DELMARVA POWER & LIGHT COMPANY FOR)
APPROVAL OF ENERGY EFFICIENCY PROGRAMS)
FOR ELECTRIC CUSTOMERS AND RATE)
RECOVERY MECHANISM) PSC DOCKET NO. 17-0985
(FILED AUGUST 18, 2017))

ORDER NO. 9222

AND NOW, this 22nd day of May 2018, the Delaware Public Service Commission ("Commission") determines and orders the following:

WHEREAS, on August 18, 2017, pursuant to 29 *Del. C.* §8059(h), Delmarva Power & Light Company ("Delmarva") filed an application (the "Application") with the Commission requesting approval of: (1) its proposed energy efficiency programs, which consist of a Consumer Products Program and a Behavior Based Program; and (2) its proposed rate recovery mechanism (together, the "2017 EE Program"); and

WHEREAS, on January 19, 2018 a Public Notice of Filing and Evidentiary Hearing was published in the News Journal, the Delaware State News and the Cape Gazette which set the public hearing on May 8, 2018 in accordance with 26 *Del. C.* §503 and 29 *Del. C.* §§ 10122, 10124 and 10125; and

WHEREAS, on February 1, 2018, in Order No. 9184, the Commission authorized Senior Hearing Examiner Lawrence to schedule and conduct the evidentiary hearing en banc at a scheduled Commission meeting; and

WHEREAS, the issues in the case are more complex and lengthy than originally anticipated; and

WHEREAS, on April 24, 2018 in Order No. 9213, the Commission approved revising the procedural schedule and rescheduling the evidentiary hearing before Senior Hearing Examiner Mark Lawrence; and

WHEREAS, the Commission has retained Glenn Kenton, Esq. to be the Hearing Examiner in this docket;

**NOW, THEREFORE, IT IS HEREBY ORDERED BY THE AFFIRMATIVE
VOTE OF NOT FEWER THAN THREE COMMISSIONERS:**

1. Glenn Kenton is designated to serve as the Hearing Examiner for this docket and is authorized to schedule and conduct the evidentiary hearing and take any other action necessary to bring this docket before the Commission.

2. That after the hearing date is established in an agreed upon procedural schedule, Delmarva shall file public notice in the legal classified sections of *The News Journal* and the *Delaware State News* providing this Commission with affidavits of publication of such public notices as soon as possible

3. After the evidentiary hearing has been conducted, Hearing Examiner Kenton shall prepare proposed findings and recommendations for the Commission's consideration.

4. The Commission Secretary shall promptly serve a copy of this Order on the Division of the Public Advocate.

5. The Commission reserves the jurisdiction and authority to enter such further Orders in this matter as may be deemed necessary or proper.

Commented [R11]: Not sure this is necessary if this provision was included in the opening order. Or are you putting Delmarva on notice that Mr. Kenton's expense will be charged to Delmarva? If the latter, then this should expressly say so.

PSC Docket No. 17-0985, Order No. 9222 Cont'd

BY ORDER OF THE COMMISSION:

Chair

Commissioner

Commissioner

Commissioner

Commissioner

ATTEST:

Secretary